

Aug 02 05 02:40p

SVIPG

408 971 4660

p.1

RECEIVED  
CENTRAL FAX CENTER  
AUG 02 2005

ZILKA · KOTAB  
P C  
ZILKA, KOTAB & FEECE<sup>TM</sup>

95 SOUTH MARKET ST., SUITE 420  
SAN JOSE, CA 95113

TELEPHONE (408) 971-2573  
FAX (408) 971-4660

FAX COVER SHEET

Date:	Phone Number	Fax Number
August 2, 2005	(571) 273-8300	
To: Examiner B. Ailes		
From: Kevin J. Zilka		

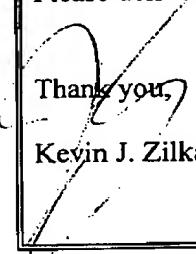
Docket No.: NAIIP009/01.114.01

App. No: 09/895,535

Total Number of Pages Being Transmitted, Including Cover Sheet: 15

Message:

Please deliver to Examiner Ailes.

  
Thank you,  
Kevin J. Zilka

Original to follow Via Regular Mail  Original will Not be Sent  Original will follow Via Overnight Courier

\*\*\*\*\*  
The information contained in this facsimile message is attorney privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone (if long distance, please call collect) and return the original message to us at the above address via the U.S. Postal Service. Thank you.  
\*\*\*\*\*

IF YOU DO NOT RECEIVE ALL PAGES OR IF YOU ENCOUNTER  
ANY OTHER DIFFICULTY, PLEASE PHONE \_\_\_\_\_Erica\_\_\_\_\_  
AT (408) 971-2573 AT YOUR EARLIEST CONVENIENCE

August 2, 2005

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Magdych et al.

Application No. 09/895,535

Filed: June 29, 2001

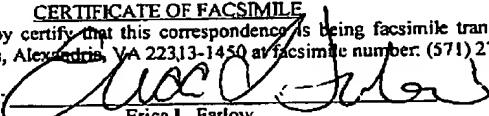
For: SYSTEM, METHOD AND COMPUTER  
 PROGRAM PRODUCT FOR IMPROVED  
 EFFICIENCY IN NETWORK ASSESSMENT  
 UTILIZING A PORT STATUS  
PRE-QUALIFICATION PROCEDURE

)  
 )  
 ) Group Art Unit: 2142  
 )  
 ) Ex.: Ailes, Benjamin A.  
 )  
 ) Date: August 2, 2005  
 )  
 )

**RECEIVED**  
**CENTRAL FAX CENTER**

AUG 02 2005

**CERTIFICATE OF FACSIMILE**  
 I hereby certify that this correspondence is being facsimile transmitted to the Commissioner for  
 Patents, Alexandria, VA 22313-1450 at facsimile number: (571) 273-8300 on the above date.

Signed: 

Erica L. Farlow

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

- Applicant(s) believe that no Extension of Time is required; however, if it is determined that such an extension is required, Applicant(s) hereby petition that such an extension be granted and authorize the Commissioner to charge the required fees for an Extension of Time under 37 CFR 1.136 to Deposit Account No. 50-1351.
- If the required fees are missing or any additional fees are required to facilitate filing the enclosed response, please charge such fees or credit any overpayment to Deposit Account No. 50-1351 (Order No. NAIIP009). A copy of this sheet is enclosed for billing purposes.

Respectfully submitted,  
 Zilka-Kotak, PC

Kevin J. Zilka  
 Registration No. 41,429

P.O. Box 721120  
 San Jose, CA 95172-1120  
 Telephone: (408) 971-2573

(Revised 1/96)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT  
RECEIVED  
CENTRAL FAX CENTER

AUG 02 2005

In re application of: )  
 Magdych et al. )  
 Application No. 09/895,535 ) Group Art Unit: 2142  
 Filed: June 29, 2001 ) Ex.: Ailes, Benjamin A.  
 For: SYSTEM, METHOD AND COMPUTER ) Date: August 2, 2005  
 PROGRAM PRODUCT FOR IMPROVED )  
 EFFICIENCY IN NETWORK ASSESSMENT )  
 UTILIZING A PORT STATUS )  
PRE-QUALIFICATION PROCEDURE)

CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being facsimile transmitted to the Commissioner for Patents, Alexandria, VA 22313-1450 at facsimile number: (571) 273-8300 on the above date.

Signed:

Erica L. Farlow

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

- Applicant(s) believe that no Extension of Time is required; however, if it is determined that such an extension is required, Applicant(s) hereby petition that such an extension be granted and authorize the Commissioner to charge the required fees for an Extension of Time under 37 CFR 1.136 to Deposit Account No. 50-1351.
- If the required fees are missing or any additional fees are required to facilitate filing the enclosed response, please charge such fees or credit any overpayment to Deposit Account No. 50-1351 (Order No. NAI1P009). A copy of this sheet is enclosed for billing purposes.

Respectfully submitted,  
 Zilka-Kotah, PC

Kevin J. Zilka  
 Registration No. 41,429

P.O. Box 721120  
 San Jose, CA 95172-1120  
 Telephone: (408) 971-2573

(Revised 1/96)

RECEIVED  
CENTRAL FAX CENTER

AUG 02 2005

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

)

Magdych et al.

)

Group Art Unit: 2142

)

Application No. 09/895,535

)

Ex.: Ailes, Benjamin A.

)

Filed: June 29, 2001

)

Date: August 2, 2005

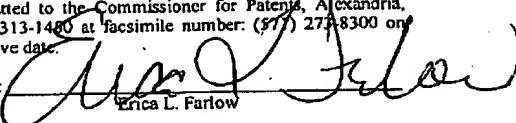
)

For: SYSTEM, METHOD AND COMPUTER)  
PROGRAM PRODUCT FOR IMPROVED )  
EFFICIENCY IN NETWORK ASSESSMENT)  
UTILIZING A PORT STATUS )  
PRE-QUALIFICATION PROCEDURE

CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being facsimile  
transmitted to the Commissioner for Patents, Alexandria,  
VA 22313-1450 at facsimile number: (703) 273-8300 on  
the above date.

Signed:



Erica L. Farlow

AMENDMENT C

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to an Office Action mailed on June 24, 2005, please enter the  
following in the above application: